

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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	:	
HOWARD HESS DENTAL LABORATORIES	:	
INCORPORATED and PHILIP GUTTIEREZ d/b/a	:	
DENTURES PLUS, on behalf of themselves and all others	:	
similarly situated,	:	
	:	
Plaintiffs,	:	C.A. No. 99-255 (SLR)
	:	
-against-	:	
	:	
DENTSPLY INTERNATIONAL, INC.,	:	
	:	
Defendant.	:	
	:	
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**DECLARATION OF RICHARD T. JOFFE
IN SUPPORT OF PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT AND INJUNCTIVE RELIEF**

I, RICHARD T. JOFFE, declare:

1. I am Of Counsel at the law firm of Labaton Sucharow & Rudoff LLP, counsel for Plaintiffs and the purported Class, am duly admitted to practice law in the state of New York, and am admitted *Pro Hac Vice* in the District of Delaware. I have personal knowledge of the matters set forth in this declaration, and, if called to testify, could and would competently testify about them. I submit this application in support of "Plaintiffs' Motion for Summary Judgment and Injunctive Relief."

2. Attached hereto, as Exhibit A, is a true and complete copy of the Complaint in *United States v. Dentsply Int'l, Inc.*, D. Del., Civ. A.. No. 99-005, which I obtained from the official web site of the United States Department of Justice.

3. Attached hereto, as Exhibit B, is a true and complete copy of “Defendant Dentsply International Inc.’s Brief in Opposition to Plaintiff’s Motion to Enter Final Judgment,” in *United States v. Dentsply Int’l, Inc.*, D. Del., Civ. A.. No. 99-005, which I obtained from the official court electronic filing system for the United States District Court for the District of Delaware.

4. Attached hereto, as Exhibit C, is a true and complete copy of pages that Defendant Dentsply Int’l, Inc. contributed to the Joint Appendix for the appeal in *Howard Hess Dental Laboratories Inc. v. Dentsply, Int’l, Inc.*, 424 F.3d 363 (3d Cir. 2005), showing invoices addressed to Howard Hess for purchases of Dentsply teeth.

5. Attached hereto, as Exhibit D, is a true and complete copy of a Dentsply, Int’l, Inc. press release, dated May 23, 2005, published by Business Wire, which I obtained from the internet.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct, and that I executed this declaration on October 23, 2006, at New York, New York.

/s/ Richard T. Joffe
Richard T. Joffe